



Preliminary Wetland Plan Review

Handout #35-C Revised 6/22/04

What is a Wetland Permit?

Clark County's Wetlands Protection Ordinance (WPO), contained within the Clark County Code (CCC), Chapter 40.450, is designed to protect wetlands, streams that do not fall under the County's Shoreline protection program, and wetland buffers. The WPO regulates activities within wetlands and areas immediately surrounding wetlands (i.e., wetland buffers) through the wetland permit process. Wetlands located on adjacent properties may affect a subject site due to extension of wetland buffers across property boundaries. A Wetland Permit from Clark County is required for any one of the following:

- A "regulated activity", as defined in CCC 40.450.010B2, proposed as part of a primary application (e.g., subdivision or site plan) which triggers the need for a concurrent wetland review.
- A regulated activity within a wetland or buffer protected by a conservation covenant (CCC 40.450.030E4).
- A regulated activity within a Category 1, 2, or 3 wetland or buffer located in an urban area.

State and federal permits may also be required for proposed work within wetlands.

What is a category 1, 2 and 3 wetland?

The Clark County Wetlands Protection Ordinance applies a rating system to determine the environmental significance of a particular wetland. Category 1, 2, and 3 wetlands are the most significant and are assumed to be difficult (Category 3) to nearly impossible to replace (Category 1). These higher quality wetlands include perennial (year-round) streams and wetlands dominated by native vegetation, usually shrubs and/or trees, often with a proportion of seasonal or permanent open water. Any wetland that provides habitat for a State or Federally listed species will also have at least a Category 3 rating. The determination of wetland categories is the responsibility of the County.

What is the wetland review process?

Wetland permits are usually reviewed under the same process and timeline as the primary application for the project. It is recommended that wetland permit applications be submitted concurrently with the primary application in order to prevent delays in project approval.

A wetland permit application submitted separately or in conjunction with a Type II review application (e.g., site plan review), will be processed as a Type II review. A Type II Review process requires a ministerial decision by the Responsible Official. In making the decision, the Responsible Official must determine if the proposed development meets the requirements of the applicable sections of the Clark County Code. The decision is made after reviewing the proposal, providing public notice, and considering written comments received from the public. The Responsible Official will approve, approve with conditions, or deny the application. The decision may be appealed to the County Hearing Examiner.

A wetland permit application submitted in conjunction with an associated Type III application (e.g., subdivision) will be processed as a Type III Review. A Type III review requires a public hearing before the County Hearing Examiner. In making the decision, the Hearing Examiner must determine if the proposed subdivision meets the requirements of the applicable sections of the

Clark County Code. This decision is made after reviewing the proposal, and after considering staff's recommendation and testimony from the public. The Hearing Examiner will approve, approve with conditions, or deny the application. This decision may be appealed to the Board of County Commissioners.

Is a pre-application conference required?

A pre-application conference is not required prior to submitting a Wetland Permit application. However, wetland permit applications can be complex, especially when a wetland or buffer mitigation plan is required. It is recommended that applicants schedule a pre-wetland application meeting with the County Wetland Biologist, of which no fee is involved for meeting. This meeting is intended to inform the applicant of project feasibility, mitigation options, application requirements, but can not guarantee preliminary wetland permit approval.

What is the application process?

The first step is to submit a completed Preliminary Wetland Permit Application Form and fees, together with the 3 copies of the required submittal items to the Customer Service Center. If the application is submitted at the same time as a primary application, the original Wetland Permit Application and 2 copies must be bound separately.

What if I didn't submit all of the required information?

The County conducts two application checks to ensure that applications are complete before staff begins their review process. Prior to accepting your application, the Customer Service staff will conduct a "**Counter Complete**" review of your submittal package. This initial review ensures that the required number of copies of all items within the **Wetland Permit Review Submittal Requirements** have been submitted before accepting your application (see attached submittal list).

Once your application is accepted, copies of your submittal package are routed to the various review staff. Staff conducts a second completeness check, known as the "**Fully Complete**" review. This more detailed review ensures that **all bulleted items** listed under the numbered headings of the attached "Wetland Permit Submittal Requirements" have been submitted. As an example, does the "Preliminary Enhancement/Mitigation Plan" have an existing conditions map that shows "topography [at two-foot contour intervals] and existing roads, utilities, and structures", "the ordinary high water mark for all on-site water courses [streams, rivers, etc]", "wetland, buffer and riparian zone boundaries", etc.).

If **all** of the submittal requirements have been met, you will receive a "Fully Complete" determination letter and be vested on the date you submitted the Fully Complete Application. Vesting means that the application will be reviewed under the ordinances that were in effect at the time of the vesting date.

If any required items are missing from your submittal, you will receive a letter of "**Not** Fully Complete," with a list of the missing items. If you have not submitted the requested information within 30 days of this written request, staff will return your application and refund the application fees, less any processing costs incurred to date.

What kind of public notice is provided?

For wetland permits processed separately or in conjunction with another Type II application, a public notice, describing the proposal, will be mailed to property owners within a 300' radius (if within an urban growth boundary), and a 500' radius (if outside an urban growth boundary) of the project site. The proposal will also be mailed to applicable state and federal agencies and to the applicant within 14 calendar days from the "Fully Complete" date.

For Type III with the notice is posted on the subject property. The notice invites written comments to be submitted to the County within 14 calendar days of the date of the notice. Copies of any written comments received in a timely manner will be sent to the applicant. The applicant may submit a written response within 14 days from the date the comments are mailed.

What is a Staff Report and when will the Decision be made?

For wetland permits subject to a Type II review process, staff's role is to prepare a Staff Report that summarizes their review of the proposal against the requirements of the Clark County Code, and make a decision to approve, approve with conditions, or deny the application. This written report will be mailed to the applicant within 78 calendar days of the "Fully Complete" determination.

For Type III reviews, Staff's role is to prepare a Staff Report that summarizes their review of the proposal against the requirements of the Clark County Code, and make a recommendation to approve, approve with conditions or deny the application. This written report will be mailed to the applicant at least 14 calendar days prior to the scheduled public hearing on this matter.

Can the decision be appealed?

Type II decisions may be appealed to the County Hearings Examiner by the applicant or any person or group. An appellant must submit an appeal application and **\$1070** fee within 14 calendar days after the written notice of the decision is mailed.

Type III decisions may be appealed to the Board of County Commissioners by the applicant, staff, or any person or group. An appellant must submit an appeal application and **\$279** fee within 14 calendar days after the written notice of the decision is mailed.

After the Preliminary Wetland Permit is approved, what is next?

After receiving approval of the preliminary wetland permit, the applicant has 3 years to submit an application for Final Wetland Permit Approval. A final Enhancement/Mitigation Plan, which reflects any applicable conditions of approval and/or revisions to the site plan, must be submitted with the Final Wetland Permit Application.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code, Chapter 40.450.

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

DEVELOPMENT REVIEW PRELIMINARY WETLAND PERMIT APPLICATION SUBMITTAL REQUIREMENTS

The following checklist identifies information required to be included with Preliminary Wetland Permit Application. **All** items with a bold underlined space (*i.e.*,) must be submitted before the application will be considered "Counter Complete." **All** items with a box to the left (*i.e.*, π) must be submitted before the application will be determined "Fully Complete." All bulleted items (*i.e.*, \diamond), must be submitted, as applicable, but are not a "Fully Complete" requirement.

1. **COVER SHEET AND TABLE OF CONTENTS** - Each submittal packet shall contain a cover sheet that contains the project name and applicant's name, address, e-mail address, and phone number. A table of contents, tabs and/or dividers to provide assistance in locating the various requirements shall follow the cover sheet.
2. **APPLICATION FORM** - The application form shall be completed and original signed in ink by the applicant.
3. **APPLICATION FEE** - The requisite fee for a preliminary wetland permit review shall accompany the application. The check is to be made payable to "Clark County Community Development."
4. **PRE-APPLICATION CONFERENCE REPORT** -- A copy of the "Wetland Permit Pre-Application Review" form must be submitted if it has been provided by the County Wetland Biologist.
5. **WETLAND DELINEATION**
6. **RECENT AERIAL PHOTOGRAPH** - Aerial photographs shall be at a scale no smaller than 1" = 400' with the project limits clearly indicated.
7. **NARRATIVE**

A narrative shall accompany the preliminary enhancement/mitigation plan that includes the following:

- π General project description
- π Description of Existing Conditions Map
- π Assessment of wetland and buffer functions
- π Discussion of the exact sites, specifications, and justifications for all proposed regulated activities (per CCC 40.450.010(B)(2) including the areas (acres), grading volumes (cu. yds. of fill and excavation), and construction methods to be used.
- π Discussion of avoidance and minimization of impacts
- π Mitigation goals and objectives

- π Summary of conceptual mitigation plan
 - ◆ Description of wetland types to be created
 - ◆ Description of proposed wetland and buffer enhancements
 - ◆ Discussion of proposed grading
 - ◆ Discussion of hydrology and water sources
 - ◆ Discussion of proposed plantings and plant communities
- π Project schedule
 - ◆ Description of monitoring and maintenance plans
 - ◆ Discussion of contingency plans if performance standards are not met

8. EXISTING CONDITIONS MAP

A map of the existing conditions, at a scale no smaller than 1" = 100', shall include the following:

- π All wetlands, ordinary high water marks, and wetland and/or habitat buffers
- π Topography (2 ft. contours minimum) and existing roads, utilities, and structures
- π Vegetation coverage (*i.e.* plant communities)
- π Soil conditions

9. PRELIMINARY MITIGATION PLANS AND DRAWINGS

Plans and drawings, at a scale of 11" x 17" or 8 1/2" x 11" at a scale no smaller than 1" = 100', shall include the following:

- π Site plan showing the location, width, depth, and length of all proposed structures, roads, utilities, stormwater management facilities, and wastewater treatment in relation to parcel, wetland, and buffer boundaries
- π Summary plan of areas of impact and mitigation plan
 - ◆ Grading plan for all creation and work within existing wetlands and buffers
 - ◆ Planting plan (*i.e.* species, quantities/densities, stock types, and locations)
 - ◆ Monitoring plan with photo plot locations and photo angles

10. SUBMITTAL COPIES

- ____ Three (3) individually bound copies (e.g., using jumbo clips, stapled, comb or spiral binding, etc.), of the wetland application package,
- ____ 3 Copies of 11" x 17" reduced plans for all sheets larger than 11" x 17"

This application was determined to be Counter Complete on: / /

Community Development Specialist:_____

**TYPE II
PRELIMINARY WETLAND PERMIT REVIEW
FEE SCHEDULE**

1 ACRE OF MORE OF TOTAL WETLAND
AND/OR BUFFER IMPACT: \$1,655

LESS THAN 1 ACRE OF TOTAL WETLAND
AND/OR BUFFER IMPACT: \$827

THE DIRECTOR MAY WAIVE ALL OR PART OF THE WETLAND PERMIT FEES PROVIDED;

1. The project is not intended to mitigate for wetland or buffer impacts; and
2. The project is not the result of an enforcement action.

DEVELOPMENT REVIEW APPLICATION FORM

(Form DS1000-Revised 12/4/03)



PROJECT NAME:		
TYPE(S) OF APPLICATION (See Reverse Side):		
DESCRIPTION OF PROPOSAL:		
APPLICANT NAME:	Address:	
E-mail Address:	Phone and Fax:	
PROPERTY OWNER NAME (list multiple owners on a separate sheet):	Address:	
E-mail Address:	Phone and Fax:	
CONTACT PERSON NAME (list if not same as APPLICANT):	Address:	
E-mail Address:	Phone and Fax:	
PROJECT SITE INFORMATION: Site Address:	Comp Plan Designation:	
Cross Street:	Zoning:	Serial #'s of Parcels:
Overlay Zones:	Legal:	Acreage of Original Parcels:
Township:	Range:	¼ of Section:

AUTHORIZATION

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the County to enter the properties listed above.

Authorized Signature

Date

Assigned at Customer Service Center	CASE NUMBER:	
	WORK ORDER NUMBER:	

APPLICATION TYPES

If you have any questions regarding the type of application being requested, our Customer Service Center will be happy to assist you.

- ☐ Annual Review
- ☐ Appeal
- ☐ Boundary Line Adjustment and Lot Reconfiguration
- ☐ Conditional Use

Environmental/Critical Areas:

- ☐ Archaeological
- ☐ Critical Aquifer Recharge Area (CARA)
- ☐ Columbia River Gorge
- ☐ Forestry + (Moratorium Waiver, Moratorium Removal, Class I, Class IVG or COHP)
- ☐ Floodplain
- ☐ Geological
- ☐ Habitat
- ☐ Historic
- ☐ SEPA
- ☐ Shoreline
- ☐ Wetland

Land Division:

- ☐ Binding Site Plan
- ☐ Final Plat
- ☐ Plat Alteration
- ☐ Short Plat (___ Infill)
- ☐ Subdivision (___ Infill)

Miscellaneous:

- ☐ Addressing
- ☐ Accessory Dwelling
- ☐ Covenant Release
- ☐ Garden Shed Setback Waiver
- ☐ Home Occupation
- ☐ Legal Lot Determination & Innocent Purchasers Determination
- ☐ Non-Conforming Use Determination
- ☐ Reconstruct Letter
- ☐ Sewer Waiver
- ☐ Shooting Range
- ☐ Sign

Planning Director Review:

- ☐ Post Decision
- ☐ Pre-Application Conference
- ☐ Pre-Application Waiver
- ☐ Public Interest Exception
- ☐ Similar Use
- ☐ Temporary Use
- ☐ Other

- ☐ Planned Unit Develop/Master Plan
- ☐ Road Modification
- ☐ Site Plan
- ☐ Variance
- ☐ Zone Change